

201 KAR 11:460. Minimum rating requirements for instructors.

RELATES TO: KRS 324.085

STATUTORY AUTHORITY: KRS 324.085, 324.281(5), 324.282

NECESSITY, FUNCTION, AND CONFORMITY: KRS 324.085 authorizes the commission to require a minimum rating of all instructors approved to teach continuing education courses. KRS 324.281(5) authorizes the commission to promulgate administrative regulations. This administrative regulation establishes the minimum rating required of all instructors and the means of dealing with instructors who received ratings below the required minimum.

Section 1. Each approved continuing and post-license education instructor shall:

- (1) Be approved by the Kentucky Real Estate Commission and be in compliance with the provisions of 201 KAR 11:175;
- (2) Enforce the KREC Guidelines for Classroom Management – Form E103 as developed by the commission; and
- (3) Comply with the Generally-Accepted Principles of Education (GAPE) – Form E104 developed by the Real Estate Educators Association and adopted by the Kentucky Real Estate Commission as the standard for classroom presentation.

Section 2. Evaluation of Instructors. (1) Each education provider shall distribute an instructor evaluation form to each student and collect a Course Evaluation – Form E108 from each student at the end of the course.

(2) Within ten (10) days of course conclusion, the course provider shall deliver all continuing education instructor evaluation forms to the commission education director.

(3) If a course provider fails to submit all forms completed by students and provided to the course provider, the commission shall suspend the course provider's approval.

(4) All Course Evaluation – Form E108 forms shall be reviewed by the commission.

(5) The commission education director shall review the course approval percentage rating for each instructor.

(6) An eighty-five (85) percent approval rating shall be required in each category of "instructor knowledge" and "instructor presentation".

(7) The comments section of the Course Evaluation – Form E108 forms shall be reviewed for other remarks concerning the instructor's performance.

(8) After a second rating lower than eighty-five (85) percent on a category, the commission shall notify the instructor and the course provider of the deficiency.

(9) The next class taught by the instructor shall be monitored by a commission representative. The commission monitor shall submit a recommendation to the commission as to if the instructor shall be allowed to continue to teach courses.

(10) Based on the recommendation of the monitor, the evaluation score, and the comments from the third class, a recommendation shall be made to the commission to:

- (a) Take no further action;
- (b) Suspend the approval of the instructor; or
- (c) Place the instructor on probation pending the evaluation and review of a future class.

(11) If the commission issues a probationary order, the commission shall establish the length and terms of the probationary period as well as the date of the class to be monitored.

(12) At the conclusion of the probationary period, the commission education director shall recommend to the commission if the instructor's approval shall continue.

(13) The commission shall consider the education director's recommendations and determine if the instructor's approval shall continue or be removed.

(14) The commission shall notify the instructor and the school of its decision in writing.

(15) If probation has ended satisfactorily, the instructor's approval shall be reinstated.

(16) If the commission determines that instructor approval shall be suspended, the instructor shall not be allowed to teach any commission-approved education courses unless approval is reinstated.

(17) In any class with ten (10) or fewer participants for which the instructor receives at least one (1) evaluation below eighty-five (85) percent on a category, the commission shall not consider the highest and lowest course approval percentage rating in order to ensure greater accuracy in the rating.

(18) The annual recertification of instructors and continuing and post-license education courses shall include an in-depth review of the evaluations completed by the students and those of any monitor that may have been present for the class.

(19)(a) Any instructor who has been suspended from teaching continuing and post-license education courses may apply for reinstatement by:

1. Submitting an application for approval to the commission;

2. If the deficiency is in presentation, the instructor attending an instructor development workshop approved by the commission upon request;

3. If the deficiency is in the subject matter, the instructor attending a prescribed number of credit hours in that subject approved by the commission upon request;

4. Submitting proof of attendance at the required course; and

5. Providing written documentation of other steps taken to improve the instructor's knowledge and skills; and

(b) After submission of the above documents and consideration by the commission, the commission shall approve or deny the instructor's request for reinstatement.

Section 3. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "KREC Guidelines for Classroom Management – Form E103", 05/15 edition;

(b) "Generally-Accepted Principles of Education (GAPE) – Form E104", 05/15 edition; and

(c) "Course Evaluation – Form E108", 05/15 edition.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Real Estate Commission, 10200 Linn Station Road, Suite 201, Louisville, Kentucky 40223, Monday through Friday, 8 a.m. to 4:30 p.m. (28 Ky.R. 2118; Am. 2330; eff. 5-16-2002; 42 Ky.R. 476; 1477; eff. 12-4-2015.)